
OLR Bill Analysis

sHB 5260 (File 386, as amended by House “A” and “B”)*

AN ACT RESTRICTING THE USE OF METHOPRENE.

SUMMARY:

This bill requires the energy and environmental (DEEP) commissioner, in consultation with the agriculture and public health commissioners and the director of the Connecticut Agricultural Experiment Station (CAES), to (1) establish a plan, within available appropriations, for the use or application of larvicide to control mosquitoes and (2) update the plan by September 1, 2012 to restrict the use of methoprene in the state’s coastal boundary and for other specified purposes. Under current law, he must consult with the agriculture and public health commissioners to establish a contingency plan, within available appropriations, for spraying larvicide to control mosquitoes in the event of mosquito-borne human or animal disease outbreaks.

The bill permits the introduction of methoprene into storm drains, wetlands, or other water bodies where mosquito larvae are found or suspected if DEEP’s mosquito management coordinator recommends it to prevent an increasing threat of mosquito-borne illness, based on CAES’ surveillance consistent with the state’s mosquito management program.

The bill requires the DEEP commissioner to take certain steps to prevent West Nile virus. Specifically, in consultation with the public health commissioner and local health departments, he must survey certain lands for the presence of mosquitoes. He must also enforce a prohibition pertaining to standing water on private property and encourage public outreach programs about the risk of standing water and West Nile virus symptoms.

*House Amendment “A” replaces the underlying file (File 386),

which prohibited anyone from introducing any product containing methoprene into any catch basin or water body unless the public health commissioner declares a public health emergency related to life-threatening mosquito-borne illness.

*House Amendment "B" adds the provisions regarding West Nile virus.

EFFECTIVE DATE: Upon passage

PLAN TO CONTROL MOSQUITO INFESTATION

The bill requires the DEEP commissioner to update the mosquito control plan by September 1, 2012 to prohibit the use or application of methoprene in any storm drain or water conveyance within the state's coastal boundary, as defined in statute and within the coastal area (see BACKGROUND). The updated plan must also establish a (1) record keeping, reporting, and Internet posting requirement for using methoprene in the coastal area by any town or the state and (2) pilot program to evaluate the retail sale and use of methoprene in the coastal area to control mosquitoes in streams, storm drains and gutters, and bird baths to ensure its use is consistent with labeling requirements.

WEST NILE VIRUS PREVENTION

The bill requires the DEEP commissioner, in consultation with the public health commissioner and local health departments, to survey land, wetlands, and watercourses in any city with a population over 100,000 (i.e., Bridgeport, Hartford, New Haven, Stamford, and Waterbury) where there has been a documented death as a result of West Nile virus, for the presence of breeding mosquitoes. The bill allows him to conduct any work needed to eliminate the breeding. (From 2000 to date, there have been three West Nile deaths in Connecticut, including one in New Haven.)

The bill bans on private property in any such city standing water that the DEEP commissioner determines, in consultation with the public health commissioner and local health departments, creates a

risk of mosquito-borne illness. The DEEP commissioner must enforce these provisions. He must also, in coordination with the public health commissioner and local health departments, encourage public outreach programs instructing residents and private property owners of the (1) risks of standing water and (2) West Nile virus symptoms.

BACKGROUND

Methoprene

Methoprene (isopropyl (2E-4E)-11-methoxy-3,7,11-trimethyl-2,4-dodecadienoate) is a larvicide that is introduced into still water to combat mosquito larvae.

Coastal Boundary

By law, the “coastal boundary,” within the coastal area, is the furthest inland of (1) the 100-year-frequency coastal flood zone, (2) a 1,000-foot setback from the mean high-water mark, or (3) a 1,000-foot setback from the inland boundary of the tidal wetlands (CGS § 22a-94(b)).

Coastal Area

By law, the state’s “coastal area” includes the towns of Greenwich, Stamford, Darien, Norwalk, Westport, Fairfield, Bridgeport, Stratford, Shelton, Milford, Orange, West Haven, New Haven, Hamden, North Haven, East Haven, Branford, Guilford, Madison, Clinton, Westbrook, Deep River, Chester, Essex, Old Saybrook, Lyme, Old Lyme, East Lyme, Waterford, New London, Montville, Norwich, Preston, Ledyard, Groton, and Stonington (CGS § 22a-94(a)).

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 2 (03/23/2012)

Judiciary Committee

Joint Favorable

Yea 28 Nay 10 (04/19/2012)

